

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**
RAVELY MATHURIN,

Plaintiff,

**3:20-cv-515
(GLS/ML)**

v.

BROOME COUNTY et al.,

Defendants.

APPEARANCES:

OF COUNSEL:

FOR THE PLAINTIFF:

Ravely Mathurin
Pro Se
416 Oak Hill Avenue
Apt. 1F
Endicott, NY 13760

**Gary L. Sharpe
Senior District Judge**

ORDER

The above-captioned matter comes to this court following an Order and Report-Recommendation (R&R) by Magistrate Judge Miroslav Lovric duly filed on June 25 2020. (Dkt. No. 8.) Following fourteen days from the service thereof, the Clerk has sent the file, including any and all objections filed by the parties herein.

No objections having been filed, and the court having reviewed the R&R for clear error, it is hereby

ORDERED that the Order and Report-Recommendation (Dkt. No. 8) is

ADOPTED in its entirety; and it is further

ORDERED that plaintiff's complaint (Dkt. No. 1) is accepted for filing with respect to plaintiff's claims of (1) false arrest pursuant to the Fourth Amendment and New York law, and (2) negligence pursuant to New York law; and it is further

ORDERED that plaintiff's Fourteenth Amendment due process claim is **DISMISSED** without prejudice and with leave to amend pursuant to 28 U.S.C. § 1915(e)(2)(B) for failure to state a claim upon which relief may be granted; and it is further

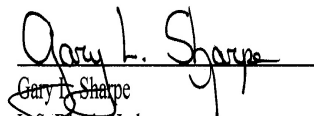
ORDERED that plaintiff may file an amended complaint within **THIRTY (30) DAYS** of this Order; and it is further

ORDERED that, if plaintiff files an amended complaint within the time permitted, the amended complaint is referred to Magistrate Judge Lovric for further review; and it is further

ORDERED that the Clerk provide a copy of this Order to plaintiff in accordance with the Local Rules of Practice.

IT IS SO ORDERED.

July 21, 2020
Albany, New York



Gary L. Sharpe
U.S. District Judge